

Thomas G. Wilson
United States Magistrate Judge

United States District Court
Middle District of Florida
801 North Florida Avenue, Suite 1232
Tampa, Florida 33602-3800
2005 JUL -5 P 3:33

(813) 301-5588

FILED IN CLERKS OFFICE
JUL 10 2005
US COURT OF APPEALS
FOR THE FIRST CIRCUIT

Office of the Clerk
John Joseph Moakley United States Courthouse
1 Courthouse Way
Boston, MA 02210


Dear Sir or Madam:

RE: *United States v. Jayson A. Paradise*
Your Case No. MJ #05-832-MBB
Our Case No. 8:05-M-328TGW

Enclosed herewith are the original Magistrate Judge Proceedings and Docket Sheet Entries.

Kindly acknowledge receipt of this letter on the copy provided, indicating the case number assigned by your transferee district.

Very truly yours,



By: CARRIE A. WILLIAMS
Secretary/Deputy Clerk

Enclosure

THE ABOVE FILE HAS BEEN RECEIVED AND ASSIGNED OUR CASE NUMBER:


(Signature)

(Date)

**U.S. District Court
Middle District of Florida (Tampa)
CRIMINAL DOCKET FOR CASE #: 8:05-mj-00328-TGW-ALL
Internal Use Only**

Case title: USA v. Paradise
Other court case number: MJ-05-832MBB District of
Massachusetts

Date Filed: 06/29/2005

Assigned to: Magistrate Judge
Thomas G. Wilson

Defendant

Jayson A. Paradise (1)
TERMINATED: 06/30/2005

represented by **Tracy Dreispul**
Federal Public Defender's Office
Middle District of Florida
400 N. Tampa St., Suite 2700
Tampa, FL 33602
813/228-2715
Fax: 813/228-2562
Email: tracy_dreispul@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

None

Disposition

**Highest Offense Level
(Opening)**

None

Terminated Counts

None

Disposition

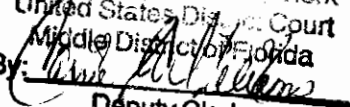
**Highest Offense Level
(Terminated)**

None

Complaints

18:922(g)(1) Felon in
possession of firearm







Disposition

I certify the foregoing to be a true
and correct copy of the original.
SHERYL L. LOESCH, Clerk
United States District Court
Middle District of Florida
By: 
Deputy Clerk

Plaintiff

USA

represented by **Jeffrey S. Downing**
 U.S. Attorney's Office
 400 N. Tampa St., Suite 3200
 Tampa, FL 33602
 813/274-6000
 Fax: 813/274-6103
 Email: jeff.downing@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/29/2005	 <u>1</u>	Arrest - Rule 5(c)(2) of Jayson A. Paradise from Massachusetts on charges of 18:922(g)(1) Felon in possession of firearm (Williams, Carrie) (Entered: 06/29/2005)
06/29/2005	 <u>2</u>	Minute Entry for proceedings held before Judge Thomas G. Wilson :INITIAL appearance as to Jayson A. Paradise held on 6/29/2005. Financial affidavit completed; FPD appointed. Government requested detention; defendant requested detention hearing & preliminary exam hearing to be conducted when he returns to the District of Massachusetts. (DIGITAL) (Williams, Carrie) (Entered: 06/29/2005)
06/29/2005	<u>3</u>	CJA 23 financial affidavit by Jayson A. Paradise (Williams, Carrie) (Entered: 06/29/2005)
06/29/2005	 <u>4</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Jayson A. Paradise. Signed by Judge Thomas G. Wilson on 6/29/2005. (Wilson, Thomas) (Entered: 06/29/2005)
06/29/2005	 <u>5</u>	ORDER OF DETENTION - temporarily detained until detention hearing and preliminary exam hearing can be conducted in District of Massachusetts upon his return as to Jayson A. ParadiseSigned by Judge Thomas G. Wilson on 6/29/2005. (Williams, Carrie) (Entered: 06/30/2005)
06/29/2005	 <u>6</u>	COMMITMENT to another district as to Jayson A. Paradise. Defendant committed to District of Massachusetts.Signed by Judge Thomas G. Wilson on 6/29/2005. (Williams, Carrie) (Entered: 06/30/2005)
06/30/2005	 <u>7</u>	TRANSFER case to District of Massachusetts. (Williams, Carrie) (Entered: 06/30/2005)
06/30/2005		***Terminated defendant Jayson A. Paradise, pending deadlines, and motions. (Williams, Carrie) (Entered: 06/30/2005)

United States District Court
Middle District of Florida
801 North Florida Avenue, Suite 1232
Tampa, Florida 33602-3800

(813) 301-5588

Thomas G. Wilson
United States Magistrate Judge

June 30, 2005

Office of the Clerk
John Joseph Moakley United States Courthouse
1 Courthouse Way
Boston, MA 02210

Dear Sir or Madam:

RE: United States v. Jayson A. Paradise
Your Case No. MJ #05-832-MBB
Our Case No. 8:05-M-328TGW

Enclosed herewith are the original Magistrate Judge Proceedings and Docket Sheet Entries.

Kindly acknowledge receipt of this letter on the copy provided, indicating the case number assigned by your transferee district.

Very truly yours,



By: CARRIE A. WILLIAMS
Secretary/Deputy Clerk

Enclosure

THE ABOVE FILE HAS BEEN RECEIVED AND ASSIGNED OUR CASE NUMBER:

(Signature)

(Date)

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

COMMITMENT

:

v.

TO ANOTHER DISTRICT

JAYSON A. PARADISE

CASE No. 8:05-M-328-TGW

CHARGES

Charging Document	Statute	Charging District
Complaint	18 USC 922(g)(1)	District of Massachusetts
		MJ # 05-832-MBB
Description: Felon in possession of a firearm		

PROCEEDINGS

CURRENT BOND STATUS:

- ☐ Bail fixed at _____ and conditions were not met
☐ Government moved for detention and defendant detained after hearing in District of Arrest
☒ Government moved for detention and defendant detained pending detention hearing in District of Offense
☐ Other (specify) _____

COUNSEL: ☐ Retained Own Counsel ☒ Federal Defender Organization ☐ CJA Attorney ☐ None

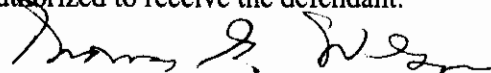
INTERPRETER: ☒ No ☐ Yes Language: _____

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of **JAYSON A. PARADISE** and to transport the defendant with a certified copy of this Commitment Order forthwith to the Charging District and there deliver him to the United States Marshal for that District or to some other officer authorized to receive the defendant.

JUNE 29, 2005

THOMAS G. WILSON
UNITED STATES MAGISTRATE JUDGE



RETURN

Commitment Order Received:	Place of Commitment:	Date Defendant Committed:
Date	United States Marshal	By Deputy Marshal

6

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA :
 :
v. : CASE No. 8:05-M-328-TGW
 :
JAYSON A. PARADISE :
 :
_____ :

ORDER OF DETENTION

THIS CAUSE came on to be heard at the time of the defendant's initial appearance. At that time, the defendant was explained his right to counsel, to a detention hearing, and to a preliminary examination hearing. The Government requested that the defendant be detained as a flight risk and a danger to the community. The defendant, through counsel, requested that his detention hearing and preliminary examination hearing be conducted in the District of Massachusetts upon his return.

It is, therefore, upon consideration

ORDERED:


1. That, pending further proceedings in the District of Massachusetts, the defendant JAYSON A. PARADISE shall be DETAINED without bail.

2. That the defendant is hereby COMMITTED to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal.

3. That the defendant shall be afforded reasonable opportunity for private consultation with counsel.

4. That the person in charge of the corrections facility in which the defendant is confined shall deliver the defendant to the United States Marshal for the purpose of appearing in court.

DONE and ORDERED at Tampa, Florida, this 29th day of June, 2005.



THOMAS G. WILSON
UNITED STATES MAGISTRATE JUDGE

FINANCIAL AFFIDAVIT

IN SUPPORT OF REQUEST FOR APPOINTMENT OF COURT SERVICES WITHOUT PAYMENT OF FEE

IN UNITED STATES ☐ MAGISTRATE ☐ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify Below)

IN THE CASE OF _____ VS. _____

FOR _____ AT _____

LOCATION NUMBER _____

PERSON REPRESENTED (Show your full name)
Jayson PARADISE
 Social Security Number **X031-48-7195**

CHARGE/OFFENSE (describe if applicable & check box —) ☐ Felony ☐ Misdemeanor

8:05-M-328 TGW

1 ☐ Defendant - Adult
 2 ☐ Defendant - Juvenile
 3 ☐ Appellant
 4 ☐ Probation Violator
 5 ☐ Parole Violator
 6 ☐ Habeas Petitioner
 7 ☐ 2255 Petitioner
 8 ☐ Material Witness
 9 ☐ Other (Specify) _____

DOCKET NUMBERS
 District Court
 Court of Appeals

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

EMPLOYMENT

Are you now employed? ☐ Yes ☒ No ☐ Am Self Employed

Name and address of employer: _____

IF YES, how much do you earn per month? \$ _____ IF NO, give month and year of last employment _____
 How much did you earn per month? \$ _____

If married is your Spouse employed? ☐ Yes ☒ No

IF YES, how much does your Spouse earn per month? \$ _____ If a minor under age 21, what is your Parents or Guardian's approximate monthly income? \$ _____

OTHER INCOME

Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? ☒ Yes ☐ No

IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES
 RECEIVED **American Fence**
 SOURCES _____

CASH

Have you any cash on hand or money in savings or checking account ☐ Yes ☒ No IF YES, state total amount \$ _____

PROPERTY

Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☐ Yes ☒ No

IF YES, GIVE THE VALUE AND DESCRIBE IT

VALUE	DESCRIPTION

DEPENDENTS

MARITAL STATUS
☐ SINGLE
☒ MARRIED
☐ WIDOWED
☐ SEPARATED OR DIVORCED

Total No. of Dependents **2**

List persons you actually support and your relationship to them
ANDREW PARADISE
Kyle PARADISE

DEBTS & MONTHLY BILLS

APARTMENT OR HOME: **None**

Creditors	Total Debts	Monthly Payt.
	\$	\$
	\$	\$
	\$	\$
	\$	\$

(LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CHARGE ACCOUNTS, ETC.)

I certify under penalty of perjury that the foregoing is true and correct. Executed on (date) _____

SIGNATURE OF DEFENDANT (OR PERSON REPRESENTED) **Jayson Paradise**

** TOTAL PAGE.03 **

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

CLERK'S MINUTES

CASE No. 8:05-M-328TGW

DATE: JUNE 29, 2005

HONORABLE THOMAS G. WILSON

UNITED STATES OF AMERICA

AUSA Jeff Downing

-v-

JAYSON A. PARADISE

AFPD Tracy Dreispul

COURT RPTR _____

DEPUTY CLERK: Carrie A. Williams

TAPE: DIGITAL TIME: 3:15 - 3:20 COURTROOM 12A

PROCEEDINGS: INITIAL

_____ Deft provided w/copy of COMPLAINT from the District of Massachusetts

_____ ARREST DATE: 6/29/05

_____ Court advises of Deft's Rule 5 rights and charges

_____ Financial Affidavit completed; FPD appointed

_____ Govt position: DETENTION-risk of flight & danger.
Defendant would like to pursue the matter of bail & preliminary exam hearing in Massachusetts.

_____ Court: DETENTION until hearing in Massachusetts

2

AO 91 (Rev. 5/85) Criminal Complaint

United States District Court

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

JAYSON A. PARADISE

CRIMINAL COMPLAINT

CASE NUMBER: MJ # 05-832-MBB

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about April 17, 2005 in Bristol county, in the

District of Massachusetts defendant(s) did, (Track Statutory Language of Offense)
after having been previously convicted in a court of a crime punishable by imprisonment for a term exceeding one year, possess in or affecting commerce a firearm, that is, a Glock model 19, 9mm semi-automatic pistol, serial number GN752US,

in violation of Title 18 United States Code, Section(s) 922(g)(1).

I further state that I am a(n) ATF Special Agent and that this complaint is based on the following
Official Title

facts:

See attached affidavit of Sheila M. O'Hara.

Continued on the attached sheet and made a part hereof:

☒ Yes

☐ No

Sheila M. O'Hara

Signature of Complainant

Sworn to before me and subscribed in my presence,

May 12, 2005 @ 1:50 PM
Date

at

Boston, MA

City and State

MARIANNE B. BOWLER
UNITED STATES MAGISTRATE JUDGE

Name & Title of Judicial Officer

Marianne B. Bowler, USMJ
Signature of Judicial Officer

This form was electronically produced by Ema Federal Forms, Inc.

AFFIDAVIT OF SHEILA M. O'HARA

I, Sheila M. O'Hara, being duly sworn, state that:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"). I have been an ATF Special Agent for more than 17 years and during that time I have been involved in numerous investigations of violations of federal firearms laws. I am currently assigned to a group in the Boston Field Division of ATF that, in part, works with other federal, state and local police departments in and around the Metropolitan Boston area to investigate and prosecute violations of federal firearms, explosives and controlled substance laws.
2. Based on my training and experience as an ATF Special Agent, I am familiar with federal firearms laws and know that it is a violation of Title 18, United States Code, Section 922(g)(1), to be a felon in possession of a firearm that has previously traveled in interstate commerce.
3. This affidavit is submitted in support of a complaint and arrest warrant for JAYSON A. PARADISE for being a felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1). The facts stated in this affidavit are based upon my personal involvement in this investigation and my discussions with other law enforcement officers involved with this investigation. In submitting this affidavit, however, I have not included each and every fact known to me about the investigation, but only those facts which I believe are sufficient to establish the requisite probable cause.
4. On Sunday, April 17, 2005, at about 6:06 p.m., Fall River Police Department Officers Jeff Richard and Officer David Gouveia were on routine patrol when they saw a red Mercury Villager van, Massachusetts registration number 78VF49, stopped at the intersection of Jencks and Alden Streets. The two officers saw three men standing near the van and then the three men moved quickly away. One of the men saw the police cruiser and yelled, "He has a gun." The other two men also yelled that the operator had a gun. From their facial expressions, tone, and body language, all three men appeared to the officers to be frightened. Both officers got out of their marked cruiser and Officer Gouveia observed the van operator, later identified as PARADISE, turn around and look at the officers and then drive away on Jencks Street. The officers got back in their cruiser,

activated the blue lights and siren and attempted to stop the van. During the pursuit, officers saw PARADISE hold a handgun out the driver's side window on a couple of occasions. It appeared to the officers that PARADISE was contemplating throwing the weapon out of the window.

5. Because of other traffic, the van was forced to stop in front of 40 Barnes Street, Fall River, Massachusetts. PARADISE got out of the van, with the gun in his hand, and fled on foot toward 40 Barnes Street. The officers ordered PARADISE to stop and drop the weapon, but PARADISE ignored their commands. Four civilians attempted to stop PARADISE, who punched one of the civilians in the face. The officers directed the civilians to back away and pursued PARADISE into the back yard of 40 Barnes Street where they ordered him, at gunpoint, to drop the weapon. PARADISE continued to refuse the officers' commands to drop the weapon; instead, he bladed his stance, holding the firearm by his right leg. Officers repeatedly ordered PARADISE to drop the weapon and then told him that if he did not drop the weapon, they were going to shoot him. PARADISE finally dropped the weapon and he was arrested.

6. I have reviewed the computer printout from the Massachusetts Criminal History Systems Board showing PARADISE's criminal record. It reflects several convictions prior to April 17, 2005, for crimes I know to be punishable by terms of imprisonment exceeding one year. These include: a February 12, 2002, conviction in Fall River District Court for assault and battery on a police officer; January 29, 1997, convictions in Fall River District Court for possession with intent to distribute a Class A controlled substance, (heroin), controlled substance offense in a school zone, conspiracy to violate the Controlled Substances Act, knowingly receiving stolen property, possession of a firearm without ID card (2 counts), and assault and battery with a dangerous weapon (knife); and a January 4, 1991, conviction in Fall River District Court for assault to kill.

7. The gun recovered by the police officers at PARADISE's arrest was a Glock, model 19, 9mm semi-automatic pistol, serial number GN752US, which was loaded with 16 rounds of ammunition. The Glock pistol was not manufactured in the Commonwealth of Massachusetts and therefore traveled in interstate commerce.

8. Based upon the foregoing, there is probable cause to believe that on April 17, 2005, JAYSON A. PARADISE, having been convicted in a court of a crime punishable

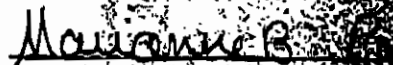
06-29-2005 12:24pm From-US ATTORNEY OFFICE ECONOMIC CRIMES UNIT 6177483860 T-287 P.006/008 F-923

by imprisonment for a term exceeding one year, did possess a firearm in or affecting commerce, in violation of Title 18, United States Code, Section 922(g)(1).

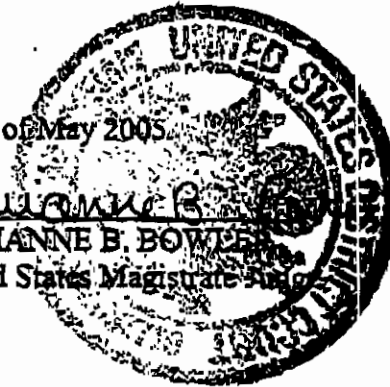


Sheila M. O'Hara
Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Sworn and subscribed to before me this 12 day of May 2005.



MARIANNE B. BOWLER
United States Magistrate Judge



h, USMJ

06-29-2005 12:24pm From US AT. OFFICE ECONOMIC CRIMES UNIT 6177453960 T-287 P.007/008 F-923

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. II Investigating Agency ATFCity Fall River, MA Related Case Information:County Bristol Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Jayson A. Paradise Juvenile ☐ Yes ☒ No

Alias Name _____

Address 16 Chavenson Street, Fall River, MABirth date (Year only): 1970 SSN (last 4 #): 7105 Sex M Race: white Nationality: US

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:AUSA Sandra S. Bower Bar Number if applicable 0787700 (Florida)Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☒ Yes ☐ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date: _____

☐ Already in Federal Custody as _____ in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☒ Complaint ☐ Information ☐ IndictmentTotal # of Counts: ☐ Petty ☐ Misdemeanor ☒ Felony

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 5-12-05 Signature of AUSA: Sandra S. Bower

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Jayson A. Paradise

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 USC 922(g)(1)</u>	<u>felon in possession of a firearm</u>	<u>1</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

AO 442 (Rev. 5/93) Warrant for Arrest

United States District Court

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

JAYSON A. PARADISE

CASE NUMBER: MJ-05-832-11688

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest JAYSON A. PARADISE
Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☐ Indictment ☐ Information ☒ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation
Petition

charging him or her with (brief description of offense)
being a felon in possession of a firearm

RECEIVED
U.S. MARSHAL SERVICE
BOSTON, MA
2005 MAY 12 PM 2:50

in violation of
Title

18 United States Code, Section(s) 922(g)(1)

MARIANNE B. BOWLER

Name of Issuing Officer

Marianne B. Bowler
Signature of Issuing Officer

UNITED STATES MAGISTRATE JUDGE

Title of Issuing Officer

May 12, 2005 @ Boston @ 1:50 PM
Date and Location

Bail fixed at \$ _____ by _____
Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at _____

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		